

Zoning Text Amendment No.: 17-13  
Concerning: Exemptions - Public  
Taking  
Draft No. & Date: 1 – 8/1/17  
Introduced: October 31, 2017  
Public Hearing:  
Adopted:  
Effective:  
Ordinance No.:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Councilmember Floreen

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance to:

- remove the possibility of structures located on a lot reduced in area by a public acquisition from becoming nonconforming;
- allow the repair, alteration, or reconstruction of such structure under certain circumstances;
- allow the lot reduced in area by public acquisition to be legal; and
- generally amend the provisions for exemptions

By amending the following sections of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

Division 7.7. “Exemptions and Nonconformities”  
Section 7.7.1. “Exemptions”

<p><b>EXPLANATION:</b> <i><b>Boldface</b> indicates a Heading or a defined term.</i> <i><u>Underlining</u> indicates text that is added to existing law by the original text amendment.</i> <i>[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.</i> <i><u>Double underlining</u> indicates text that is added to the text amendment by amendment.</i> <i>[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.</i> <i>* * * indicates existing law unaffected by the text amendment.</i></p>
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*ORDINANCE*

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

**Sec. 1. DIVISION 59-7.7 is amended as follows:**

**Division 7.7. Exemptions and Nonconformities**

**Section 7.7.1. Exemptions**

\* \* \*

**F. Public Taking**

1. A lawful structure located on a lot reduced in area by a public acquisition that would render the structure nonconforming is legal and may be repaired, altered, or reconstructed, but may not be enlarged.
2. A lot reduced in area by a public acquisition is legal.

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**Sec. 2. Effective date.** This ordinance becomes effective 20 days after the date of Council adoption.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council